

## **Change is Coming to Support ADA**

by Dave Garb, Legislative Committee Chair

### **On the 33rd Anniversary of ADA,**

The Biden-Harris Administration is working to make it easier for people with disabilities to access public services. They are taking new steps to strengthen the ADA and improve online accessibility to state and local services for those with vision, hearing, cognitive, and dexterity disabilities.

During the pandemic the disparities in online access were made quite clear. Those with hearing issues or who were deaf could not understand video messages from their governors and mayors due to a lack of captioning and American Sign Language interpretation. This lack of accessibility has led to unequal access to critical services for millions of Americans such as voter registration, filing taxes, and accessing vital records.

The Department of Justice is advancing a proposed rule to strengthen web and mobile app access for people with disabilities. This rule will not only improve access for people with disabilities, but it will also simplify how public entities – primarily state and local governments – can meet their existing ADA obligations.

As state and local governments continue to move more of their programs and activities online, ensuring that people with disabilities have equal access to these same services is essential. When websites and mobile apps are not accessible, they can be difficult or even impossible to use. This can stop those with disabilities from easily accessing important government services and programs that others can quickly obtain.

What does this mean to us here in community television? Be prepared! As I mentioned above, those with disabilities could not understand the video messages due to the lack of captioning. The Biden-Harris Administration along with the DOJ, wants equal access for all!!

The DOJ has made it clear that all Government proceedings, i.e. council meetings, board of education meetings, and other such events, will most likely need closed captioning. We will all need to start planning accordingly, in case the need arises for us to comply.

### **Communications, Video, and Technology Accessibility (CVTA) Act on July 25, 2023. S2494/HR 4858**

Senator Markey of Massachusetts and Representative Anna Eshoo of California have reintroduced the Communications, Video, and Technology Accessibility (CVTA) Act on July 25, 2023. S2494/HR 4858

This bill updates the 21st Century Communications and Video Accessibility Act of 2010 (CVAA) which had updated federal communications law to increase the access of persons with disabilities to modern communications.

<https://eshoo.house.gov/media/press-releases/rep-eshoo-sen-markey-reintroduce-cvta-make-communication-technologies>

### **From NATOA (National Association of Telecommunications Officers and Advisors):**

- CVTA improves and expands closed captioning and audio description standards for television programming and online video streaming platforms to ensure people with disabilities have equitable access to the wide range of programming available to the general public.
- Update current requirements to ensure viewers can easily activate and select preferred settings for closed captions and audio description on their video programming devices, such as televisions, smart phones, laptops, and tablets.
- Improve access to video conferencing platforms for people with disabilities.
- Ensure people with disabilities have equitable access to 9-1-1 emergency services.
- Empowers the Federal Communications Commission (FCC) to ensure accessibility regulations keep pace with emerging technologies, including artificial intelligence and augmented or virtual reality platforms.

So as stated above, the writing is boldly on the wall. We may need to start preparing for closed captioning whether we are ready for it or not! More to come on this as things progress with the CVTA bill and the DOJ proposed rule.

### In other news from the FCC:

Chairwoman Rosenworcel proposes national goal of 100% access to affordable broadband.  
Also Proposes to Increase Minimum Speed Standard to 100/20 Mbps & Set Gigabit Future Goal

WASHINGTON, July 25, 2023—FCC Chairwoman Jessica Rosenworcel recently shared with her colleagues an updated Notice of Inquiry that would kick off the agency’s evaluation of the state of broadband across the country, as required by Section 706 of the Telecommunications Act. Chairwoman Rosenworcel proposes that the Commission consider several crucial characteristics of broadband deployment, including affordability, adoption, availability, and equitable access, when determining whether broadband is being deployed in a reasonable and timely fashion to “all Americans.”

“In today’s world, everyone needs access to affordable, high-speed internet, no exceptions,” said Chairwoman Rosenworcel. “It’s time to connect everyone, everywhere. Anything short of 100% is just not good enough.”

In addition to focusing on a universal service standard, the Notice of Inquiry proposes to increase the national fixed broadband standard to 100 megabits per second for download and 20 megabits per second for upload, and discusses a range of evidence supporting this standard, including the requirements for new networks funded by the Bipartisan Infrastructure Law. The FCC previously set the broadband standard at 25/3 Mbps in 2015 and has not updated it since. The Notice of Inquiry proposes to set a separate national goal of 1 Gbps/500 Mbps for the future.

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